

MUNICIPAL MINUTES, CITY OF TUPELO
STATE OF MISSISSIPPI

DECEMBER 3, 2013

Be it remembered that the regular meeting of the Tupelo City Council was held in the Council Chambers at the City Hall Building on Tuesday, December 3, 2013, at 6:00 p.m. with the following in attendance: Council Members Markel Whittington, Lynn Bryan, Jim Newell, Nettie Y. Davis, Buddy Palmer, Mike Bryan and Willie Jennings; City Attorney Ben Logan; and Glenda Muse, Clerk of the Council.

Councilman L. Bryan introduced Rector Paul Stephens of All Saints Episcopal Church who gave the invocation. The invocation was followed by the Pledge of Allegiance led by Boy Scout Troop #77, scouts being introduced by Mayor Shelton.

IN THE MATTER OF CALLING THE MEETING TO ORDER

President Nettie Davis called the regular meeting to order at 6:00 p.m.

**IN THE MATTER OF CONFIRMATION OR AMENDMENT
OF AGENDA AND AGENDA ORDER**

Upon a motion by Councilman M. Bryan and a second by Councilman Newell, the council voted unanimously to confirm the agenda and agenda order, amended as follows:

DELETE: #4.4 Appearance of Swim Team

ADD: #7.12 Request for Funds from Tupelo Airport Authority

4. PROCLAMATIONS, RECOGNITIONS AND REPORTS AGENDA

IN THE MATTER OF RECOGNITION OF BOY/GIRL SCOUTS

Mayor Shelton had previously introduced Boy Scout Troop #77 who had led the Pledge of Allegiance. The troop is sponsored by the East Main Church of Christ. Their scout leaders were present as well.

IN THE MATTER OF RECOGNITION OF CITY EMPLOYEES

No city employees were present for recognition.

IN THE MATTER OF PUBLIC RECOGNITIONS

The following public recognitions were made by Mayor Shelton and Council Members:

MUNICIPAL MINUTES, CITY OF TUPELO
STATE OF MISSISSIPPI

DECEMBER 3, 2013

Mayor Shelton – Introduced Sherrie Cochran, Environmental Planner, who is acting liaison for the Tupelo Daffodil Project which is sponsored by the Quality of Life Committee. This past Saturday 10,000 bulbs were planted on the Music Bend Nature Trail and offered to schools and neighborhood associations. Since 2008, 250,000 daffodil bulbs have been planted in public places. Plaques were presented to those who had given an “all-out” effort in this project. The local chapter of the Modern Woodmen had donated \$500.00 toward the purchase of native Red Bud trees, and Mr. Tim Brown’s chapter planted the trees during the day as well as providing refreshments for all the volunteers.

Mitchell Distributing of Tupelo brought truck loads of employees and families to help plant and in three hours had planted 10,000 bulbs. Many of these employees were present at the meeting tonight.

The project also helped two Boy Scouts from Troop #77 attain the Eagle Scout award. John Caleb Williams helped with measuring and planting markers on the trail for the volunteers, and Micah Laney assembled his crew and planted 25 native Red Bud trees. Micah plans to design and install donor and botanical markers to help with the educational process.

The Tupelo Parks and Recreation Department assisted in helping deliver the bulbs, trail markers and trees and offered information and encouragement to all the volunteers involved in this project.

Mayor Shelton extended special thanks to all other volunteers who return year after year to assist with this wonderful endeavor to brighten our city.

Councilman Jennings – Recognized former City Councilman Jonny Davis who was present at the meeting tonight.

IN THE MATTER OF PROCLAMATION IN RECOGNITION OF “HUMAN TRAFFICKING AWARENESS MONTH”

This item was postponed until January.

IN THE MATTER OF MAYOR’S REPORT

Following are highlights of Mayor Shelton’s report:

...Had attended the National League of Cities Conference in Seattle, Washington, along with Council President Davis. He encouraged others to attend such events and take

MUNICIPAL MINUTES, CITY OF TUPELO STATE OF MISSISSIPPI

DECEMBER 3, 2013

advantage of information, classes, etc. offered at such events.

...Attended SEUS Japanese Economic Development meeting in Biloxi, Mississippi, recently.

...Attended the Mississippi Municipal League Small Town Conference in Tunica, Mississippi, along with several City Council Members.

...Had invited Swimming Coach Smith of Tupelo High School and the Boys and Girls Swim Teams to the meeting to congratulate them on their State championship titles. However, they were unable to attend but will be invited for the next City Council meeting.

...Also, the Boys and Girls Cross Country Teams of Tupelo High School will be recognized at the next council meeting on their State championship titles.

...The Mayor and Neal McCoy, Director of the Tupelo Convention & Visitors Bureau, will be traveling later this week to recruit independent softball association tournament to Tupelo which should bring in over 200 people to the city.

...The lighting of the Oren Dunn Museum at Ballard Park was held on Monday night with choral groups from Lawhon, Parkway and Pierce Schools presenting a program of song.

...Three Tupelo High School students had participated in leading off the Macy's Thanksgiving Day Parade. Zachary Campbell, Isaac Palmer and Patrick Knight assisted NBC Host Matt Lauer in kicking off the event. Isaac is the grandson of Councilman Buddy Palmer.

...Public Ice Skating will be an ongoing event at the BancorpSouth Arena from November 15 through January 20, 2014. Mayor Shelton encouraged families to take advantage of this fun time for the whole family.

...On Thursday, December 5, Mr. George Lewis, former Executive Director of the Mississippi Municipal League, will be the guest speaker at the Council of Governments Christmas luncheon to be held at Saltillo City Hall at noon.

...On December 11, 2013, beginning at 2:00 p.m. a meeting has been scheduled for further discussion of Public Transportation with Northeast Mississippi Community Services and AARP. The meeting will be held in Council Chambers, City Hall Building, in Tupelo.

MUNICIPAL MINUTES, CITY OF TUPELO
STATE OF MISSISSIPPI

DECEMBER 3, 2013

...The Reed's Christmas Parade is scheduled for Tuesday, December 10, beginning at 6:30 p.m. The parade line-up will begin at 4:30 p.m. so streets in Downtown Tupelo will begin closing at 4:00 p.m.

...The Mississippi Association of Chiefs of Police Conference will be held in Tupelo on Monday, December 9, at 1:30 p.m. Mayor Shelton will be giving the welcome address to the group.

...The grand opening of the Tupelo Aquatic Center will be held on December 14, 2013, at 9:00 a.m. at the new facility located in Veterans Park.

...Mayor Shelton stated it was now time to start making plans for the new police station. The sum of five million dollars has been set aside and the decision needs to be made whether or not a \$5mil building will be built or if the city desires to try to generate additional revenue in excess of that amount.

...The Oren Dunn City Museum is an official drop-off location for "Toys for Tots", a project sponsored by the Marine Corps Reserves. New, unwrapped toys may be dropped off until December 21 and all toys will go to children in this area. Museum hours are Noon through 8:00 p.m. from December 3 – 21, 2013.

5. PUBLIC AGENDA

No items on the Public Agenda for consideration.

6. ACTION AGENDA

No items on the Action Agenda for consideration

7. ROUTINE AGENDA

IN THE MATTER OF REVIEW/APPROVE MINUTES OF REGULAR CITY COUNCIL MEETING

Upon a motion by Councilman Whittington and a second by Councilman M. Bryan, the council voted unanimously to approve the minutes of the regular City Council meeting of Tuesday, November 19, 2013.

MUNICIPAL MINUTES, CITY OF TUPELO
STATE OF MISSISSIPPI

DECEMBER 3, 2013

IN THE MATTER OF REVIEW/PAY BILLS

Upon a motion by Councilman L. Bryan, seconded by Councilman Palmer, the council voted unanimously to approve payment of the following checks, bills having been reviewed at 4:30 p.m. by Councilmen Whittington, L. Bryan, Newell and Palmer:

Check Nos. 116296 through 116608 (Pool Cash Fund)
Electronic transfers are shown on the face of the docket.
Invoices as shown on the face of the docket.
Requests made by AFLAC to reimburse employees under Flex-One Plan
as shown on the face of the docket.

IN THE MATTER OF REVIEW/APPROVE APPOINTMENT TO TUPELO SCHOOL DISTRICT BOARD

Mayor Shelton had recommended Sherry A. Sheffield Davis as the city's appointment to the Tupelo School District Board. The Mayor spoke very highly of Mrs. Davis and referred to her impressive resume. She has been involved with the city's public schools in several different capacities for many years, and he felt that she would be a very appropriate candidate to fill the vacant slot on this Board. Upon a motion by Councilman Jennings and a second by Councilman Whittington, the council voted unanimously to approve the appointment of Mrs. Davis to this position on the school board. Several council members added their congratulations and approval of Mrs. Davis's abilities to fill this important position. A copy of her bio is attached to these minutes as **APPENDIX A.**

IN THE MATTER OF REVIEW/APPROVE RESOLUTIONS DECLARING SURPLUS REAL PROPERTY TO CONVEY TO NEIGHBORHOOD DEVELOPMENT CORPORATION

This item had been tabled at the November 19, 2013, City Council meeting. Upon a motion by Councilman Palmer and a second by Councilman Whittington, the council voted unanimously to bring the matter off the table for consideration at this meeting.

The City of Tupelo had previously entered into an agreement with the Community Development Foundation to promote economic development by revitalizing designed areas within the City, said agreement contemplating utilizing the services of the Neighborhood Development Corporation to implement and operate the day-to-day activities necessary to further the goals of that agreement.

MUNICIPAL MINUTES, CITY OF TUPELO **STATE OF MISSISSIPPI**

DECEMBER 3, 2013

The City has since purchased certain blighted real properties in the Chapman Street and West Jackson Street areas. Subject properties are not needed for governmental or related purposes and are not to be used in the operation of the City of Tupelo. Therefore, in accordance

with above referenced agreement, the City desires to surplus and convey these properties to the Neighborhood Development Corporation for redevelopment and improvements in order to contribute to the civic, economic and industrial welfare of the City.

Upon a motion by Councilman M. Bryan, seconded by Councilman Palmer, the council voted as follows to approve a Resolution Authorizing the Conveyance of Certain Real Property to Neighborhood Development Corporation on the following city-owned properties:

1124 West Jackson Street; 1105 West Jackson Street; 904 West Jackson Street;
1117 Chapman Drive; 1105 Chapman Drive

Vote on the issue was as follows:

VOTING AYE: Whittington, L. Bryan, Davis, Palmer, M. Bryan, Jennings
VOTING NAY: Newell

Executed copies of the above Resolutions are attached to these minutes and incorporated herein as **APPENDIX B.**

**IN THE MATTER OF REVIEW/APPROVE AMENDED RESOLUTION
AUTHORIZING CONVEYANCE OF CERTAIN REAL PROPERTY TO
NEIGHBORHOOD DEVELOPMENT CORPORATION**

By warranty deed dated January 31, 2013, the City of Tupelo purchased blighted real property located as 1103 West Jackson Street. As stated in previous item of these minutes, the City had entered into an agreement with Community Development Corporation to utilize the Neighborhood Development Corporation to operate the day-to-day activities necessary in the revitalizing of this deteriorating part of the City. Since there is no need for this property for governmental or related purposes, the City desires to surplus and convey the same to the Neighborhood Development Corporation.

Upon a motion by Councilman M. Bryan, seconded by L. Bryan, the council voted as follows to approve a similar Resolution as in previous item, entitled "Amended Resolution Authorizing the Conveyance of Certain Real Property to Neighborhood Development Corporation", i.e., property located at 1103 West Jackson Street. This amended Resolution includes a reverter clause as well as language relating to all mineral

**MUNICIPAL MINUTES, CITY OF TUPELO
STATE OF MISSISSIPPI**

DECEMBER 3, 2013

rights that the City owns on the same.

Vote on the matter was as follows:

VOTING AYE: Whittington, L. Bryan, Davis, Palmer, M. Bryan, Jennings

VOTING NAY: Newell

An executed copy of this Amended Resolution is attached to these minutes and incorporated herein as **APPENDIX C.**

**IN THE MATTER OF REVIEW/APPROVE RATIFICATION OF CONTRACT FOR
DEMOLITION OF MILAM MANUFACTURING BUILDING**

At the regular City Council meeting of November 19, 2013, the Council had awarded the bid for the demolition of the Milam Manufacturing Building to Edge Construction, LLC, as the lowest and best bid and had also authorized the Mayor to enter into a contract with this company subject to legal review and subsequent ratification.

Legal Counsel has now reviewed subject contract and upon a motion by Councilman L. Bryan and a second by Councilman Palmer, the council voted unanimously to ratify the contract between Edge Construction, LLC, and the City of Tupelo, Mississippi, for the project known as "Demolition of Milam Manufacturing Structures", 120 Franklin Street, Tupelo, Mississippi. A copy of the contract is attached to these minutes and incorporated herein as **APPENDIX D.**

**IN THE MATTER OF REVIEW/ACCEPT MINUTES OF TUPELO MAJOR
THOROUGHFARE PROGRAM MEETING**

Upon a motion by Councilman M. Bryan, seconded by Councilman Whittington, the council voted unanimously to accept the minutes of the Tupelo Major Thoroughfare Program meeting of October 14, 2013, a copy being attached hereto as **APPENDIX E.**

IN THE MATTER OF REVIEW/APPROVE REQUEST TO DONATE LEAVE TIME

Chuck Williams, Interim Director of Tupelo Public Works Department, had submitted a request for permission to donate leave time to Public Works employee, Elbert Buchanan. Mr. Buchanan has recently had surgery and does not have enough time to be paid during his illness and recovery. According to Mr. Williams, Mr. Buchanan has had several health issues recently which have caused him to exhaust his sick leave balance.

**MUNICIPAL MINUTES, CITY OF TUPELO
STATE OF MISSISSIPPI**

DECEMBER 3, 2013

Upon a motion by Councilman Jennings and a second by Councilman Palmer, the council voted unanimously to approve this request for employees to donate their leave to Mr. Buchanan until he is able to return to work.

**IN THE MATTER OF REVIEW/APPROVE REQUEST FOR SOLE SOURCE
PURCHASE BY TUPELO WATER & LIGHT DEPARTMENT**

Johnny Timmons, Manager, Tupelo Water & Light Department, had submitted a request by memorandum dated November 26, 2013, to the Mayor and City Council for approval for a sole source purchase from Federal Signal Corporation for an additional eight (8) tornado warning sirens. The City of Tupelo currently has fifteen (15) existing tornado warning sirens that were purchased from Federal Signal. Therefore, Mr. Timmons is requesting this sole source purchase be approved to insure that the additional warning signals are compatible with our existing infrastructure and to maintain the integrity of the system.

Upon a motion by Councilman Palmer, seconded by Councilman Newell, the council voted unanimously to approve this request for a sole source purchase of eight (8) tornado warning sirens from Federal Signal Corporation. A copy of a letter dated November 22, 2013, from Federal Signal Corporation (**APPENDIX F**) is attached hereto as additional basis for this request.

IN THE MATTER OF REVIEW/AWARD/REJECT BID FOR TUPELO WATER & LIGHT DEPARTMENT

Upon a motion by Councilman Newell, seconded by Councilman M. Bryan, the council voted unanimously to award the following bid to the lowest and best bid submitted by Howard Industries, Inc.:

Bid No. 1307WL	Step Voltage Regulators (South Tupelo Substation)
	Lowest and best bid – Howard Industries, Inc.
	in the amount of \$12,598.00 each. Total purchase
	price will be \$113,382.00 for nine(9) regulators.

This bid was recommended by Johnny Timmons, Manager, of the Department. A copy of the bid package is attached to these minutes and included herein as **APPENDIX G.**

MUNICIPAL MINUTES, CITY OF TUPELO **STATE OF MISSISSIPPI**

DECEMBER 3, 2013

IN THE MATTER OF REVIEW/APPROVE FEE CHANGES AND AMENDMENTS **AND ADDITIONS TO “CITY OF TUPELO WATER & LIGHT DEPARTMENT RULES,** **REGULATIONS, FEES & CHARGES FOR UTILITY SERVICE”**

By letter dated November 22, 2013, to the Mayor and City Council, Johnny Timmons, Manager of the Tupelo Water & Light Department, had submitted a request for approval of fee changes to be effective December 4, 2013. According to Mr. Timmons, material and fuel costs have risen drastically over the past few years and due to these increases and the fact that the City

has not had a fee increase since November 2011, he is making this request. Also, due to necessity, certain amendments and additions to the “City of Tupelo Water & Light Department Rules, Regulations, Fees & Charges for Utility Service”, need council approval.

Upon a motion by Councilman Whittington, seconded by Councilman L. Bryan, the council voted unanimously to approve this fee increase and to make the amendments and additions to the “City of Tupelo Water & Light Department Rules, Regulations, Fees & Charges for Utility Service”. Copies of the requested fee changes as well as the amendments and additions referred to are attached hereto and incorporated into these minutes as **APPENDIX H.**

IN THE MATTER OF REVIEW/APPROVE LOAN REQUEST FROM TUPELO REGIONAL AIRPORT TO PAY CENTURY CONSTRUCTION AND NEEL SCHAFFER ENGINEERS

Upon a motion by Councilman L. Bryan, seconded by Councilman Newell, the council voted unanimously to approve a request from the Tupelo Regional Airport for an interest-free loan from the City of Tupelo in the amount of \$178,473.19 for the purpose of paying the final expenses of the Runway Extension Project. The loan is to be repaid immediately upon the receipt of Federal Aviation Administration grant funding, but no later than July 1, 2014.

Further, the Tupelo Airport Authority shall approve and execute a Memorandum of Understanding between the Tupelo Airport Authority and the City of Tupelo, Mississippi, prior to any advance of funds. An executed copy of this MOU is attached to these minutes and incorporated herein as **APPENDIX I.**

MUNICIPAL MINUTES, CITY OF TUPELO
STATE OF MISSISSIPPI

DECEMBER 3, 2013

8. STUDY AGENDA

IN THE MATTER OF REVIEW/DISCUSS ACCEPTANCE OF SUMMIT SUBDIVISION STREETS

This item will remain on the Study Agenda.

IN THE MATTER OF REVIEW/DISCUSS CONTRACT FOR OUTSIDE LEGAL SERVICES

This item will remain on the Study Agenda.

**IN THE MATTER OF REVIEW/DISCUSS AMENDMENTS TO LOT MOWING
PENALTIES**

This item will remain on the Study Agenda.

IN THE MATTER OF ADJOURNMENT

There being no further business to come before the City Council, upon a motion by Councilman M. Bryan and a second by Councilman Palmer, the council voted unanimously to adjourn the regular meeting at 7:00 p.m.

ATTEST:

CLERK OF THE COUNCIL

PRESIDENT

APPROVED:

MAYOR